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# MEMO ENDORSED

VIA ECF

November 8, 2007

Honorable Richard M. Berman, USDJ  
 United States District Court  
 Southern District of New York  
 500 Pearl Street, Room 21D  
 New York, NY 10007-1312

Re: Operative Plasterers & Cement Masons Local 262 v. City Decks, Inc.  
 07-CV-7954 (RMB)

Dear Judge Berman:

An initial conference has been scheduled for this matter on November 14, 2007 at 9:30 a.m.

The Plaintiff in the above referenced action is respectfully requesting the cancellation of the conference due to the fact that the Defendant failed to answer the Complaint and/or contact Plaintiff in any manner. Accordingly, the Plaintiff would request in lieu of an appearance, to file a Motion to Default forthwith.

Thank you for your cooperation in this matter.

Contact me should you have any questions.

Sincerely,

  
 Danielle M. Carney, Esq.

DMC:jp

cc: Fund Office  
 City Decks, Inc. (via UPS)

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 11/09/2007
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SO ORDERED:

Date: 11/8/07

  
 Richard M. Berman, U.S.D.J.

*Let's hold the conference + if  
 Def. fails to appear we'll  
 then consider default  
 proceedings.*